

## **REMARKS**

The Office Action restricts the claims into Group I and Group II. The Office Action alleges that there is a lack of unity of invention among more than one species of the generic invention that are not so linked as to form a single inventive concept.

Applicants point out that both the International Search Authority and the International Preliminary Examining Authority did not find a lack of unity. While the undersigned realizes this is not binding on the Examiner, it does point out that these other bodies found unity of invention. Applicants respectfully request that the Examiner reconsider the assertion of a lack of unity and permit Claims 1-4 and 6-8 to remain in this one application and withdraw the assertion of lack of unity.

However, to provide a full response to the Office Action, Applicants hereby elect Group II for prosecution in this case.

With regard to the species, Applicants hereby elect the compound of the Formula (Ia) for prosecution in this case, as set forth in Claim 3. With regard to a particular agonist or antagonist nicotinic acetylcholine receptors, Applicants hereby elect the compound of Formula (IIa) (imidacloprid) as set forth in Claim 8.

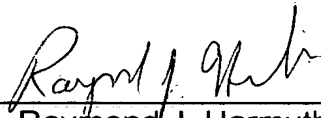
In addition to the foregoing, Applicants respectfully request at a minimum that the Examiner also permit to remain in this one case, the agonist or antagonist of nicotinic acetylcholine receptor of Formula (IIk)(thiacloprid).

Anticipating that the Examiner may grant this request, Applicants are submitting herewith a signed Declaration by Dr. Christoph Erdelen showing the synergism of the mixture comprising the compounds of the Formula (Ia) with (IIa) as well as the mixture comprising compounds of the Formula (Ia) and (IIk).

Applicants believe the foregoing is fully responsive to the Office Action.  
Review and consideration of the claims and allowance of the same are respectfully  
requested.

Respectfully submitted,

By



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